

WEDNESDAY, APRIL 3, 1985

THIRTIETH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Dennis Pulley, First Baptist Church, Ripley, Tennessee.

Representative Crain led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 98

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills

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Nos. 700 and 764; with his approval.

WILLIAM H. INMAN,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 193, 196, 316, 371, 450, 1038 and 1046; and House Joint Resolutions Nos. 154, 155, 156, 162, 163, 165, 168, 170, 171, 172, 173, 174 and 183; with his approval.

WILLIAM H. INMAN,
Counsel to the Governor.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 178 and 188; and House Resolution No. 21; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 178 and 188; and House Resolution No. 21.

CALENDAR

House Joint Resolution No. 144--Relative to devising training program for work release inmates.

Mr. Love moved that House Joint Resolution No. 144 be adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Joint Resolution No. 144 be deleting the word "directed" from the first resolving clause wherever it appears, and by substituting instead the word "requested".

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 144, as amended, passed its third and final consideration by the following vote:

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Ayes	92
Noes	5
Present and not voting	1

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives voting no were: Chiles, Drew, Kent, Miller and Rhinehart--5.

Representative present and not voting was: Bewley--1.

A motion to reconsider was tabled.

Mr. Scruggs moved that House Bill No. 386 be placed on the Calendar for Wednesday, April 10, 1985, which motion prevailed.

House Joint Resolution No. 142--Relative to directing study concerning inmates' conjugal visits.

Mr. Love moved that House Joint Resolution No. 142 be adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Joint Resolution No. 142 by deleting from the first resolving clause the word "directed", and by substituting instead the word "requested".

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 142, as amended, passed its third and final consideration by the following vote:

Ayes	67
Noes	29

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Covington, Crain, Curlee, Darnell, Davidson, Davis (Gibson), DeBerry, DePriest,

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Dixon, Drew, Ellis, Gafford, Gaia, Garrett, Gill, Hassell, Henry, Hillis, Hobbs, Hurley, Ivy, Jared, Kernell, King, Kisber, Love, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stallings, Starnes, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Whitson, Work and Mr. Speaker McWherter--67.

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Cross, Davis (Cocke), Davis (Knox), Dills, Duer, Frensley, Harrill, Huskey, Kent, Lawson, May, McAfee, McCroskey, Moody, Rhinehart, Stafford, Swann, Tankersley, Ussery, Webb, Williams, Winningham, Wix, Wolfe, Wood and Yelton--29.

A motion to reconsider was tabled.

House Bill No. 273--To regulate trapping and trapping devices.

On motion, House Bill No. 273 was made to conform with Senate Bill No. 390.

On motion, Senate Bill No. 390, on same subject, was substituted for House Bill No. 273.

Mr. Jared moved that Senate Bill No. 390 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representatives voting no were: Robinson (Washington) and Stafford--2.

A motion to reconsider was tabled.

Mr. Cobb moved that House Bill No. 846 be placed on the Calendar for Wednesday, April 10, 1985, which motion prevailed.

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House Bill No. 564--To extend expiration date, Title 13, Chapter 20, Code.

On motion, House Bill No. 564 was made to conform with Senate Bill No. 767.

On motion, Senate Bill No. 767, on same subject, was substituted for House Bill No. 564.

Mr. Miller moved that Senate Bill No. 767 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winingham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

Ms. Duer moved that House Bill No. 582 be placed on the Calendar for Wednesday, April 17, 1985, which motion prevailed.

Mr. Robinson (Davidson) moved that House Bill No. 532 be placed on the Calendar for Wednesday, April 17, 1985, which motion prevailed.

House Bill No. 615--To make certain provisions, absentee voting.

On motion, House Bill No. 615 was made to conform with Senate Bill No. 301.

On motion, Senate Bill No. 301, on same subject, was substituted for House Bill No. 615.

Mr. Wheeler moved that Senate Bill No. 301 be placed on the Calendar for Wednesday, April 10, 1985, which motion prevailed.

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House Bill No. 499--To amend Section 66-29-202, Code.

On motion, House Bill No. 499 was made to conform with Senate Bill No. 575.

On motion, Senate Bill No. 575, on same subject, was substituted for House Bill No. 499.

Mr. Wheeler moved that Senate Bill No. 575 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

House Bill No. 376--To regulate inspection, certain local jails.

On motion, House Bill No. 376 was made to conform with Senate Bill No. 256.

On motion, Senate Bill No. 256, on same subject was substituted for House Bill No. 376.

Mr. Wix moved that Senate Bill No. 256 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey,

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McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 672--To provide disposition, certain physical evidence, court proceedings.

Mr. Yelton moved that House Bill No. 672 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 672 by inserting between the words "the sheriff" and "for disposition" in subsection (5) of the amendatory language of Section 1 the words "or the Chief of Police in counties having a metropolitan form of government".

FURTHER AMEND by adding the following to the end of subsection (6) of the amendatory language of Section 1:

In counties having a metropolitan form of government, all references to the sheriff in this subsection shall mean the Chief of Police.

On motion, the amendment was adopted.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 672 by adding the following new subsection (1) to the amendatory language of Section 1 and by renumbering the present subsections accordingly:

() The clerk of the court having custody of the physical evidence to be disposed of shall notify the attorneys of record in the case for which such evidence was used that certain enumerated items are no longer needed by the court and that they have thirty (30) days from the date of such notification to claim any of such items belonging to them or their clients. If after thirty (30) days the attorneys have not claimed and removed such items of evidence, the clerk shall dispose of the evidence in the manner prescribed by subsections 2-7 of this section.

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On motion, the amendment was adopted.

Thereupon, House Bill No. 672, as amended, passed its third and final consideration by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 110--To regulate branch banks.

Mr. Murphy moved that House Bill No. 110 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	99
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

A motion to reconsider was tabled.

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Mr. Murphy moved that House Bill No. 111 be placed on the Calendar for Wednesday, April 10, 1985, which motion prevailed.

FURTHER CONSIDERATION OF SENATE BILL NO. 814

Senate Bill No. 814--To provide voting by mail, certain municipalities.

Mr. Chiles moved Senate Bill No. 814 be passed on third and final consideration.

Mr. Miller moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 814, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

Representatives voting no were: Brewer, Ivy and Turner, C. (Shelby)--3.

A motion to reconsider was tabled.

House Bill No. 345--To provide contractors bonds to pay for labor and materials.

On motion, House Bill No. 345 was made to conform with Senate Bill No. 526.

On motion, Senate Bill No. 526, on same subject, was substituted for House Bill No. 345.

Mr. Ellis moved that Senate Bill No. 526 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 79
Noes 17

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), DeBerry, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Henry, Hillis, Hobbs, Huskey, Ivy, Jared, Jones, Kernell, King, Kisber, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Swann, Tanner, Treadway, Turner (Hamilton), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--79.

Representatives voting no were: Byrd, Darnell, Davis (Gibson), Davis (Knox), DePriest, Dills, Harrill, Hurley, Kent, Lawson, McAfee, Stafford, Tankersley, Turner, C. (Shelby), Turner, L. (Shelby), Winningham and Wolfe--17.

A motion to reconsider was tabled.

House Bill No. 829--To expand Sequatchie Valley Planning and Development Agency.

Mr. Rhinehart moved that House Bill No. 829 be passed on third and final consideration.

Ms. Duer moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 829 by deleting the word "Rhea" wherever it appears in Section 1 and Section 2.

AND FURTHER AMEND by deleting the word and figure "five (5)" in Section 3 and by substituting instead the word and figure "four (4)".

On motion, the amendment was adopted.

Thereupon, House Bill No. 829, as amended, passed its third and final consideration by the following vote:

Ayes 94
Noes 1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones,

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Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --94.

Representative voting no was: DePriest--1.

A motion to reconsider was tabled.

House Bill No. 141--To provide for mutual assistance, fire fighting.

On motion, House Bill No. 141 was made to conform with Senate Bill No. 165.

On motion, Senate Bill No. 165, on same subject, was substituted for House Bill No. 141.

Mr. Swann moved that Senate Bill No. 165 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --96.

A motion to reconsider was tabled.

Mr. Cobb moved that House Bill No. 519 be placed on the Calendar for the first available space next year, which motion prevailed.

House Bill No. 576--To regulate property sold through court.

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On motion, House Bill No. 576 was made to conform with Senate Bill No. 496.

On motion, Senate Bill No. 496, on same subject, was substituted for House Bill No. 576.

Mr. Starnes moved that Senate Bill No. 496 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	79
Noes	19

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Collier, Copeland, Covington, Crain, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensey, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hillis, Hobbs, Ivy, Jared, Jones, King, Kisber, Love, May, McCroskey, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stallings, Starnes, Tanner, Treadway, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --79.

Representatives voting no were: Buck, Clark (Sumner), Cross, Davis (Knox), Henry, Hurley, Huskey, Kent, Lawson, McAfee, Moody, Napier, Peroulas, Scruggs, Stafford, Swann, Tankersley, Turner, C. (Shelby) and Williams--19.

A motion to reconsider was tabled.

House Bill No. 596--To provide for publication of zoning ordinances.

On motion, House Bill No. 596 was made to conform with Senate Bill No. 257.

On motion, Senate Bill No. 257, on same subject, was substituted for House Bill No. 596.

Ms. Moore (Sullivan) moved that Senate Bill No. 257 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry,

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DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 482--To provide assessment of civil penalties, water quality control.

On motion, House Bill No. 482 was made to conform with Senate Bill No. 185.

On motion, Senate Bill No. 185, on same subject, was substituted for House Bill No. 482.

Ms. Moore (Sullivan) moved that Senate Bill No. 185 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 481--To provide issuance of permits solid waste management.

Ms. Moore (Sullivan) moved that House Bill No. 481 be passed on third and final consideration.

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Mr. Hillis moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 481 by deleting the "." at the end of section 2 and adding the following:

and (d).

And further by deleting the third paragraph in section 3 in its entirety and substituting the following:

Tennessee Code Annotated, Section 68-46-108, is further amended by deleting from the third sentence of subsection (c) (1) the words "or board".

And further by deleting the fourth paragraph in Section 3 in its entirety and substituting the following:

Tennessee Code Annotated, Section 68-46-108, is further amended by deleting the words "or the board" and the words "or of the board", respectively, in the fourth sentence of subsection (c) (1).

And further by adding as new sections the following:

Tennessee Code Annotated, Section 68-46-104(19) is amended by deleting the words "or board".

Tennessee Code Annotated, Section 68-46-118(1) is amended by deleting the word "board" and substituting the word "commissioner".

On motion, the amendment was adopted.

Ms. Moore (Sullivan) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 481 by deleting the language in Section 5 in its entirety and by substituting instead the following:

This Act shall take effect October 1, 1985, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 481, as amended, passed its third and final consideration by the following vote:

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Ayes	99
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

A motion to reconsider was tabled.

House Bill No. 480--To enact "Ginseing Harvest Season Act, 1985".

Ms. Moore (Sullivan) moved that House Bill No. 480 be passed on third and final consideration.

Mr. Stallings moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 480 by adding to Section 2 of the bill the following additional definitions:

(5) "Sale" means any transfer of possession or ownership for money or other consideration.

(6) "Export" means to transport, cause to be transported or deliver to any person for the purpose of transportation from any place in this state to any place outside of this state.

(7) "Landowner" means the owner or lessee of land or the duly authorized agent of such owner or lessee.

AND FURTHER AMEND by deleting Sections 4, 5 and 6 of the bill in their entirety and substituting instead the following:

SECTION 4. It is unlawful for any person to dig, harvest, collect or remove wild ginseng from any land for the purpose of sale or export, on any date not within the wild ginseng harvest season established by Section 3 of this act.

SECTION 5. It is unlawful for any person to dig, harvest, collect or remove from any land, for the purpose of sale or

export, any wild ginseng plant that has green berries or that has less than three (3) prongs.

SECTION 6. It is unlawful for any person who has dug, harvested, collected or removed wild ginseng from any land for the purpose of sale or export:

(1) to remove the berries of the wild ginseng from the approximate location from which the wild ginseng was dug, harvested, collected or removed, or

(2) to fail, immediately after such digging, harvest, collection or removal, to plant the berries of the wild ginseng in the approximate location from which the wild ginseng was dug, harvested, collected or removed.

AND FURTHER AMEND by adding the following provisions after the period at the end of Section 8:

This section shall not apply to any employee or contractor of the federal government or of the state of Tennessee or of any political subdivision of the state engaged in any type of planning, construction, or maintenance work upon any proposed or existing federal, state, county, or other public road or highway, or highway right-of-way, while performing said work in the course of his employment or contract work with the federal, state, or local government.

On motion, the amendment was adopted.

Thereupon, House Bill No. 480, as amended, passed its third and final consideration by the following vote:

Ayes	98
Noes	0
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

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A motion to reconsider was tabled.

House Bill No. 479--To recognize certain high school pupils.

On motion, House Bill No. 479 was made to conform with Senate Bill No. 188.

On motion, Senate Bill No. 188, on same subject, was substituted for House Bill No. 479.

Ms. Moore (Sullivan) moved that Senate Bill No. 188 be passed on third and final consideration.

Mr. Work moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 188 by adding at the end of the amendatory language in Section 1, the following:

Similarly, if there are foreign exchange students in a high school, the local school board may provide for recognition of such students during the high school graduation ceremony.

Mr. Moore (Shelby) moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by adding at the end of the amendatory language in Section 1, the following:

Similarly, if there are foreign exchange students in a high school, the local school board shall provide for recognition of such students during the high school graduation ceremony.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Mr. Clark (Davidson) moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 188 by adding the following language at the end of the amendatory language of Section 1:

Provided, however, this act shall not apply in any county having a metropolitan form of government.

On motion, the amendment was adopted.

Mr. Copeland moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 188 by adding a section to read:

The provisions of this act shall not apply in counties having a population of not less than 287,000 to 300,000 according to the 1980 US Federal Census or any census thereafter

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 188, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensey, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

Representatives voting no were: Chiles and Winningham--2.

A motion to reconsider was tabled.

CONSENT CALENDAR

OBJECTIONS

Objections were filed to the following bills and resolutions on the Consent Calendar:

Messrs May and Severance objected to Senate Joint Resolution No. 81.

Under the rules, Senate Joint Resolution No. 81 was placed at the foot of the Calendar for Thursday, April 4, 1985.

CONSENT CALENDAR

House Bill No. 1059--To regulate expenditure, certain funds, Smith County.

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House Joint Resolution No. 201--Relative to honoring Bartlett High School Freshman Cheerleaders.

House Joint Resolution No. 202--Relative to congratulating Dyersburg High School boys' basketball team.

House Joint Resolution No. 204--Relative to congratulating Carroll Oakland girls' basketball team.

Senate Joint Resolution No. 77--Relative to congratulating Coach Barry Martin and basketball team.

Senate Joint Resolution No. 82--Relative to congratulating "School Board of the Year", Kingsport.

Senate Joint Resolution No. 84--Relative to memory, Oliver Floyd Meredith.

Senate Joint Resolution No. 85--Relative to memory, Walter Evans.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 152--To terminate U.T. Energy Institute.

SENATE AMENDMENT NO. 1

Amend House Bill No. 152 by deleting Section 1 and Section 2 in their entirety.

FURTHER AMEND by inserting a new Section between Section 3 and the following Section 4 and by appropriately renumbering all Sections:

SECTION 2. Tennessee Code Annotated, Section 4-29-207, is amended by adding the following language as an appropriately numbered new item:

() University of Tennessee Energy Institute, board of directors, created by Section 49-9-504.

Mr. King moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensey, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 281

Senate Bill No. 281--To regulate emergency communication district boards.

Mr. Robinson (Hamilton) moved that the motion to reconsider Senate Bill No. 281 be lifted from the table, which motion prevailed.

Mr. Robinson (Hamilton) moved that the House reconsider its action in passing Senate Bill No. 281 on third and final consideration, as amended, which motion prevailed.

Mr. Robinson (Hamilton) moved that the House reconsider its action in adopting Amendment No. 2, which motion prevailed.

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Mr. Robinson (Hamilton) moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 281, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

Mr. DePriest moved that the rules be suspended for the purpose of introducing House Bill No. 1069 out of order, which motion prevailed.

House Bill No. 1069--To amend Local Option Revenue Act--By DePriest and Phillips.

Passed first consideration.

BILLS WITHDRAWN

On motion of Mr. Jared, House Bill No. 1044 was withdrawn from the House.

On motion of Mr. Swann, House Bill No. 139 was recalled from the Committee on State and Local Government.

On motion of Mr. Swann, House Bill No. 139 was withdrawn from the House.

On motion of Mr. Crain, House Bill No. 733 was recalled from the Committee on Agriculture.

On motion of Mr. Crain, House Bill No. 733 was withdrawn from the House.

NOTICE PURSUANT TO RULE NO. 58

Pursuant to Rule No. 58, the sponsor gave notice of his intention to consider the following measure from the Senate on Thursday, April 4, 1985:

House Bill No. 392--By Starnes.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 99

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wingham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 205--Relative to congratulating Austin-East High School boys' basketball team--By Drew.

Under the rules, House Joint Resolution No. 205 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 206--Relative to honoring Coach John B. Foster--By Drew.

Under the rules, House Joint Resolution No. 206 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 207--Relative to honoring Jane Eaton --By West.

Under the rules, House Joint Resolution No. 207 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 208--Relative to honoring William David Swanner--By Severance.

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Under the rules, House Joint Resolution No. 208 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 209--Relative to congratulating Bartlett High School boys' basketball team--By Byrd.

Under the rules, House Joint Resolution No. 208 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 210--Relative to commending Susan R. Roth--By Miller.

Under the rules, House Joint Resolution No. 210 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 211--Relative to congratulating Rhea County High School boys' basketball team--By Duer.

Under the rules, House Joint Resolution No. 211 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 212--Relative to continuing special study committee, bingo law--By Yelton, Montgomery, Webb, Whitson, Bivens, Moore (Sullivan), Harrill, Bewley, Collier, Ridgeway, Kernell and Hillis.

The Speaker referred House Joint Resolution No. 212 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 213--Relative to congratulating Karns High School boys' basketball team--By Severance, Peroulas, Davis (Knox), Drew, May and Miller.

Under the rules, House Joint Resolution No. 213 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 214--Relative to congratulating Unicoi County High School boys' basketball team--By Whitson.

Under the rules, House Joint Resolution No. 214 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 215--Relative to congratulating Unicoi County High School girls' basketball team--By Whitson.

Under the rules, House Joint Resolution No. 215 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 216--Relative to memorializing John L. Rucker--By Drew.

Under the rules, House Joint Resolution No. 216 was referred to the Committee on Calendar and Rules.

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House Joint Resolution No. 217--Relative to proclaiming "Tennessee Childrens' Week",--By Moody, Harrill, Moore (Sullivan), Dills, Crain, Montgomery, Yelton and Hillis.

Under the rules, House Joint Resolution No. 217 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 218--Relative to commending students, Green Elementary School--By Drew.

Under the rules, House Joint Resolution No. 218 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1063--To provide for charter, Lafayette--By Wix and Winningham.

Passed first consideration.

House Bill No. 1064--To provide for election, superintendent of education, Hamblen County--By Moody.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 31--To provide character education in schools.

Passed first consideration.

Senate Bill No. 238--To regulate State Election Commission.

Passed first consideration.

Senate Bill No. 374--To regulate practice, respiratory care.

Passed first consideration.

Senate Bill No. 440--To protect and conserve rare plants.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1061--To provide for funds, Juvenile Court Services, Madison County.

Passed second consideration and held without reference.

House Bill No. 1062--To authorize use of deadly force by officer, certain instances.

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Passed second consideration and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

AGRICULTURE

MR. SPEAKER: Your Committee on Agriculture begs leave to report that we have carefully considered and recommend for passage: House Joint Resolution No. 130.

STALLINGS, Chairman.

Under rules, House Joint Resolution No. 130 was transmitted to the Committee on Calendar and Rules.

COMMERCE

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 394, 619 (with amendment), 928 and 966.

MURRAY, Chairman.

Under the rules, House Bills Nos. 394, 619, 928 and 966 were transmitted to the Committee on Calendar and Rules.

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bill No. 1050, and Senate Joint Resolutions Nos. 53 and 54.

HILLIS, Chairman.

Under the rules, House Bill No. 1050 and Senate Joint Resolutions Nos. 53 and 54 were transmitted to the Committee on Calendar and Rules.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 475, 908 and House Joint Resolution No. 33 and further recommend that pursuant to House Rule No. 71, House Bill No. 908 be referred to the Committee on Finance, Ways and Means.

WORK, Chairman.

Under the rules, House Bills Nos. 475 and House Joint Resolution No. 33 were transmitted to the Committee on Calendar and Rules.

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Pursuant to House Rule No. 71, the Speaker referred House Bill No. 908 to the Committee on Finance, Ways and Means.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 132, 357, 368 (with amendment), 402 (with amendment), 470, 565, 579, 642, 682, 817, 902, 939 (with amendment), 976 (with amendment) and 982.

RHINEHART, Vice-Chairman.

Under the rules, House Bills Nos. 132, 357, 368, 402, 470, 565, 579, 642, 682, 817, 902, 939, 976 and 982 were transmitted to the Committee on Calendar and Rules.

GENERAL WELFARE

MR. SPEAKER: Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bill No. 962.

STARNES, Chairman.

Under the rules, House Bill No. 962 was transmitted to the Committee on Calendar and Rules.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 164, 166 (with amendment), 167, 782 (with amendment) and 950 (with amendment) and further recommend that House Bill No. 950 be referred to the Committee on Judiciary.

KING, Chairman.

Under the rules, House Bills Nos. 164, 166, 167 and 782 were transmitted to the Committee on Calendar and Rules.

The Speaker referred House Bill No. 950 to the Committee on Judiciary.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 463, 502 (with amendment), 601, 604, 795, 960, 967, 975 (with amendment) and further recommend that pursuant to House Rule No. 71, House Bill No. 604, 960 and 975 be referred to the Committee on

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Finance, Ways and Means.

MURPHY, Chairman.

Under the rules, House Bills Nos. 463, 502, 601, 795 and 967 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 71, the Speaker referred House Bill No. 604, 960 and 975 to the Committee on Finance, Ways and Means.

LABOR AND CONSUMER AFFAIRS

MR. SPEAKER: Your Committee on Labor and Consumer Affairs begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 127 (with amendment), 360 (with amendment), 873, 970 and 971.

ELLIS, Chairman.

Under the rules, House Bills Nos. 127, 360, 873, 970 and 971 were transmitted to the Committee on Calendar and Rules.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 655, 761, 969 (with amendment) and 977 and further recommend that pursuant to House Rule No. 71, House Bill No. 969 be referred to the Committee on Finance, Ways and Means.

MILLER, Chairman.

Under the rules, House Bills Nos. 655, 761 and 977 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 71, the Speaker referred House Bill No. 969 to the Committee on Finance, Ways and Means.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 547 (with amendment), 550 (with amendment) and 720 (with amendment).

ROBINSON (Davidson), Chairman.

Under the rules, House Bills Nos. 547, 550 and 720 were transmitted to the Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to

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report that we have met and set the following bills on the Calendar for Thursday, April 4, 1985: House Bills Nos. 537, 857, 972, 567 697, 710, 523, 631, 627, 787, 211, 358, 617, 484, 472 and 351; and House Joint Resolution No. 105.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 672; and find same correctly engrossed and ready for transmission to the Senate.

MARLYN EVELYN HAND,
Chief Engrossing Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 44--Stafford

House Bill No. 386--Yelton

House Bill No. 829--Curlee

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

90--Relative to commending Malone and Hyde, Incorporated; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 94; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate

WEDNESDAY, APRIL 3, 1985--30th LEGISLATIVE DAY

Joint Resolution No. 94.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 691 without his signature.

WILLIAM H. INMAN,
Counsel to the Governor.

Dear Speaker McWherter,

I am returning House Bill 691/Senate Bill 882 without my signature.

I will let the bill become law because, under the circumstances, it is the best the Legislature can do. I will not sign the bill, however, because we need to be looking for ways to get Tennessee students more instructional time rather than fewer school days.

From the taxpayers' point of view, we are paying \$9 million per day in state and local tax dollars for five days of school that are not being taught.

I have asked Commissioner McElrath to work with the State Board of Education to help local school boards to do better advance planning so that this situation will not arise again. Everyone should understand that state law requires 180 days of classroom instruction and should plan accordingly.

Sincerely,

Lamar Alexander

House Bill No. 691 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1048, 1058 and 1061.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Thursday, April 4, 1985: House Bills Nos.

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45, 64, 163, 1048, 1058, 1061; House Joint Resolutions Nos. 127, 128, 205, 206, 207, 208, 209, 210, 211, 213, 214, 215, 216, 217 and 218.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

494--To make certain provisions, divorce and alimony;

516--To allow certain persons to solemnize rites of matrimony; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos:

510--To make certain provisions, court executions;

800--To make certain provisions, census information;

823--To amend Title 39, Chapter 5, Code;

882--To establish a Missing Child Recovery Procedure; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

179--Relative to congratulating Lenoir City High School boys' basketball team;

181--Relative to congratulating Coach Jim Smiddy, Bradley County High School;

182--Relative to proclaiming May 12-18 as "Police Memorial Week"; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 110, 480, 481, 829 and 1059; and House Joint Resolutions Nos. 142, 144, 201, 202 and 204; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Naifeh, the House adjourned until 9:00 a.m., tomorrow.